

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

LEIGHTON TECHNOLOGIES LLC,

Plaintiff,

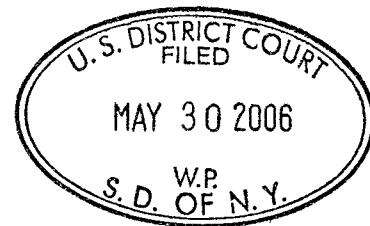
-v.-

OBERTHUR CARD SYSTEMS, S.A.,  
AND OBERTHUR CARD SYSTEMS OF  
AMERICA CORPORATION,

Defendants.

Case No. 04-cv-02496

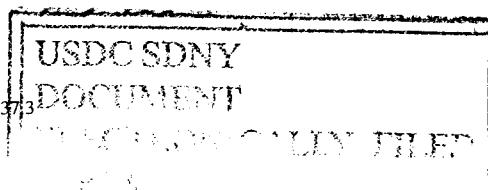
**[PROPOSED]  
FIFTH AMENDED SCHEDULING  
ORDER**



Upon good cause shown to this Court for modifications to the Rule 16(b) scheduling order,

IT IS HEREBY ORDERED:

1. All remaining fact discovery shall be completed by July 28, 2006. The discovery that remains to be completed includes both pending written discovery and a number of depositions that have been set and/or agreed upon by the parties. The deadline for serving written discovery on a party has passed, although the obligations with respect to pending written discovery that has already been served remains in force and effect. The Court understands that the parties have reached a separate agreement for completing the remaining depositions, including any additional depositions that have not yet been set and/or agreed upon.
2. For any issue for which a party carries the burden of proof, that party shall serve its Rule 26(a)(2) expert reports and disclosures on July 14, 2006.
3. Each party shall serve its rebuttal expert reports on August 11, 2006.



4. Expert discovery shall begin August 21, 2006
5. Expert discovery shall be completed by September 15, 2006.
6. Service of requests to admit shall be completed by September 27, 2006 and responded to by October 13, 2006.
7. The last day to file dispositive motions shall be September 29, 2006.
8. A final pre-trial order and all motions in limine are due on October 20, 2006. All exhibits and objections to exhibits, requests to charge, proposed voir dire instructions and proposed verdict forms are also to be filed on that date.
9. Any party seeking damages from any other party must append to the joint pretrial order a one page addendum explaining the factual and legal basis for the claimed damages, explaining how it proposes to prove damages and setting forth a calculation of anticipated damages.
10. Responses to in limine motions are due 5 days after the motions are made.
11. The Court will schedule a final pre-trial conference after the final pre-trial order is filed. Cases can be called for trial at any time after the final pre-trial conference.
12. The parties shall not contact Judge McMahon about discovery disputes, they shall go directly to Magistrate Judge Smith.

13. This scheduling order may be altered or amended only on a showing of good cause not foreseeable at the date hereof. *Counsel should not assume that extensions will be granted as a matter of routine.*

Dated: May 26, 2006  
White Plains, New York 10601



Hon. Lisa Margaret Smith  
United States Magistrate Judge